

UNITED STATES PATENT AND TRADEMARK OFFICE

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BEFORE THE BOARD OF PATENT APPEALS  
AND INTERFERENCES

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Ex parte MICHAEL J. FRY, RITU DHAND,  
MICHAEL D. WATERFIELD,  
PETER J. PARKER, MASAYUKI OTSU,  
GEORGE PANAYOUTOU, STEFANO VOLINIA  
and IVAN GOUT

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Application No. 09/325,095

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ORDER RETURNING UNDOCKETED APPEAL TO EXAMINER

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This application was received electronically at the Board of Patent Appeals and Interferences on November 28, 2006. A review of the application has revealed that the application is not ready for docketing as an appeal. Accordingly, the application is herewith being returned to the examiner. The matter requiring attention prior to docketing is identified below:

A Reply Brief was received in the office on May 1, 2006 in response to the Examiner's Answer mailed March 17, 2006. However, in accordance with the revision effective September 13, 2004, 37 CFR § 41.43 states:

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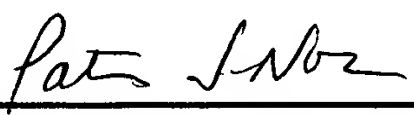
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. . . After receipt of a reply brief in compliance with [37 CFR] § 41.41, the primary examiner must acknowledge receipt and entry of the reply brief ....

Accordingly, it is

ORDERED that the application is returned to the examiner for consideration of the Reply Brief, and for such further action as may be appropriate.

BOARD OF PATENT APPEALS  
AND INTERFERENCES

By:   
PATRICK J. NOLAN  
Deputy Chief Appeals Administrator  
(571) 272-9797

PJN/dal

FULBRIGHT & JAWORSKI, LLP  
666 FIFTH AVE.  
NEW YORK, NY 10103-3198